

House File 146 - Introduced

HOUSE FILE 146

BY HANSON, THOMAS, STECKMAN,
ABDUL-SAMAD, KRESSIG,
WITTNEBEN, HUNTER, KEARNS,
MASCHER, LENSING, WINCKLER,
GASKILL, MUHLBAUER, and
WENTHE

A BILL FOR

- 1 An Act relating to the registration of hunting outfitters or
- 2 hunting guides and providing a penalty.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **483A.29 Registration of hunting**
2 **outfitters or hunting guides — penalty.**

3 1. A person shall not engage in or be employed for any
4 compensation in the business of a hunting outfitter or a
5 hunting guide in this state unless the person is registered as
6 a hunting outfitter or a hunting guide with the department.
7 The commission shall define, by rule, the activities that
8 constitute hunting outfitter activities or hunting guide
9 activities for the purposes of this section.

10 *a.* The rules shall require an applicant for registration
11 to identify all parcels of land or waters which are under the
12 lawful control of the applicant, and identify the location and
13 acreage of any land or waters to be hunted, and the equipment
14 and services to be provided by the outfitter or the guide.

15 *b.* An applicant shall not be registered as a hunting
16 outfitter or guide pursuant to this section if the person
17 is or has been subject to the cancellation, suspension, or
18 revocation of a license pursuant to section 481A.134 for a
19 violation of chapter 481A, 481B, 482, 483A, 484A, or 484B, or
20 for the commission of trespass as defined in section 716.7
21 while hunting deer, or has pled guilty or been convicted of a
22 violation of chapter 481A, 481B, 482, 483A, 484A, or 484B, or
23 of the violation of trespass as defined in section 716.7 while
24 hunting deer, in violation of section 481A.135.

25 2. A hunting outfitter or hunting guide registered pursuant
26 to this section shall verify with the department, as provided
27 by rule, that any person to whom hunting outfitter or guide
28 services are provided, is properly licensed to hunt in this
29 state for the species sought by that person.

30 3. The commission shall establish, by rule, a conduct board
31 consisting of hunting outfitters and hunting guides selected
32 by the department, to establish standards of ethical and
33 professional conduct concerning hunting outfitters and hunting
34 guides and to review complaints and make recommendations to
35 the department for the revocation of registrations of hunting

1 outfitters and hunting guides who are in violation of this
2 section or the rules adopted pursuant to this section.

3 4. The commission shall establish, by rule, the annual fee
4 for a hunting outfitter or hunting guide registration. In
5 determining an annual fee, the commission shall consider the
6 costs of providing for the registration and administering and
7 enforcing this section.

8 5. This section does not apply to the activities of a
9 hunting outfitter or hunting guide that are conducted on a
10 hunting preserve pursuant to chapter 484B or 484C.

11 6. A person who violates this section or the rules adopted
12 pursuant to this section is guilty of a serious misdemeanor.

13 EXPLANATION

14 This bill provides for the registration of persons engaged
15 in the business of a hunting outfitter or hunting guide.
16 The natural resource commission is directed to define what
17 activities constitute hunting outfitter activities or hunting
18 guide activities and register hunting outfitters or hunting
19 guides upon application and payment of an annual fee determined
20 by rule of the commission. An applicant shall identify all
21 parcels of land or waters which are under the lawful control
22 of the applicant, and identify the location and acreage of any
23 land or waters to be hunted, and the equipment and services to
24 be provided by the outfitter or the hunting guide.

25 An applicant shall not be registered as a hunting outfitter
26 or guide if the person is or has been subject to cancellation,
27 suspension, or revocation of a license issued by the department
28 of natural resources or has pled guilty or been convicted of
29 such license violations or the commission of trespass while
30 hunting deer.

31 A registered hunting outfitter or guide is required to
32 verify with the department of natural resources, as provided
33 by rule, that any person to whom hunting outfitter or guide
34 services are provided is properly licensed to hunt in this
35 state for the species sought by that person.

1 The bill also requires the commission to establish, by rule,
2 a conduct board consisting of hunting outfitters and hunting
3 guides to establish standards of ethics and conduct, to review
4 complaints, and to make recommendations concerning revocations
5 of registrations of hunting outfitters and hunting guides.

6 The bill does not apply to activities that are conducted on a
7 hunting preserve.

8 A violator is guilty of a serious misdemeanor. A serious
9 misdemeanor is punishable by confinement for no more than one
10 year and a fine of at least \$315 but not more than \$1,875.